

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

ANGELIA GREEN,

No. C 14-04281 LB

Plaintiff,

v.

CENTRAL MORTGAGE COMPANY,

Defendant.

**ORDER (1) DIRECTING PLAINTIFF
TO THE PAY THE REDUCED
FILING FEE BY JANUARY 19, 2015
AND (2) CONTINUING THE CASE
MANAGEMENT CONFERENCE**

On September 23, 2014, Plaintiff Angelia Green, who is proceeding pro se, filed a complaint against Central Mortgage Company. Complaint, ECF No. 1.¹ She did not pay the required filing fee; instead, she filed an application to proceed in forma pauperis. IFP Application, ECF No. 3. On September 26, 2014, the court denied her application and ordered Plaintiff to pay \$50.00 toward the filing fee no later than October 24, 2014. 9/26/2014 Order, ECF No. 5. The court warned Plaintiff that failure to do so could result in her action being dismissed. *Id.*

That date came and went, but court still did not receive any indication that Plaintiff paid the \$50.00. So, on November 20, 2014, the court issued an order to show cause, which ordered Plaintiff to show cause why the case should not be dismissed for her failure to prosecute it. OSC, ECF No. 9. It directed Plaintiff to do so by filing a written explanation no later than December 1, 2014 and warned her that failure to do so may result in dismissal of the case without prejudice for failure to

¹ Citations are to the Electronic Case File ("ECF") with pin cites to the ECF-generated page numbers at the top of the document.

1 prosecute. See *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (court may dismiss an
2 action based on a party's failure to prosecute an action); *see also Pagtalunan v. Galaza*, 291 F.3d
3 639, 642 (9th Cir. 2002) (setting forth five non-exhaustive factors for the court to consider).

4 On November 28, 2014, Plaintiff responded to the order to show cause by apologizing for
5 missing the deadline and stating that her failure to pay the \$50 fee was simply an oversight on her
6 part. *See* Response, ECF No. 10. Still, there is no indication that Plaintiff has actually paid the \$50
7 fee. *See generally* Docket. And with an initial case management conference coming up, the court
8 must get this squared away. Accordingly, the court **ORDERS** Plaintiff to pay the \$50 filing fee by
9 January 19, 2015. Failure to do so may result in dismissal of the case without prejudice for failure to
10 prosecute. The court also **CONTINUES** the January 8, 2015 case management conference to March
11 19, 2015 at 11:00 a.m. in Courtroom C, 15th Floor, United States District Court, 450 Golden Gate
12 Avenue, San Francisco, California 94102.

13 **IT IS SO ORDERED.**

14 Dated: January 6, 2015



15 LAUREL BEELER
16 United States Magistrate Judge
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